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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/804,072 | 03/19/2004 | Itaru Fukushima | K-2010DIV2 | 7053 |

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KANESAKA AND TAKEUCH
1423 Powhatan Street
Alexandria, VA 22314

EXAMINER

FERGUSON, MARISSA L

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| ART UNIT | PAPER NUMBER |
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2854

DATE MAILED: 08/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/804,072

Applicant(s)

FUKUSHIMA ET AL.

Examiner

Marissa L Ferguson

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuzawa (US Patent 6,243,157) in view of Funato (US Patent 200210191992).

Regarding claim 1, Tsuzawa teaches an exposing section (52) for exposing the recording medium, first feed means (32,38,68A, 69) arranged in the exposing section for feeding the recording medium (54) while contacting two side edges of the recording medium feed direction of the recording medium (Figure 1), a developing section (located in processor section 72) for pressing the recording medium exposed at the exposing section for development, a recording medium feed path (68B, 68C, 73) arranged between the exposing section and the developing section for feeding the recording medium, a cutting device (71,88) for cutting four edges of the recording medium including the two side edges and an apparatus housing (12) for retaining at least the exposing section, developing section, cutting device and the first feed means.

However, he does not explicitly disclose a second feed means arranged in the recording medium feed path for feeding the recording medium exposed at the exposing section to the developing section while contacting the two side edges of the recording medium and a third feed means arranged between the developing section the cutting device feeding the recording medium developed at the developing section to the cutting device while contacting two side edges the recording medium and casing for housing a second and third feed means therein.

Funato teaches second feed means (23) arranged near the exposure section (222) and feeds the recording medium to the exposure section and development section (223) while contacting edges of the recording and a third feed means (41,61) located between the developing (223) and cutter sections (located in section 12).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the invention taught by Tsuzawa to include the second and third feed means as taught by Funato, since Funato teaches that it is advantageous to provide image quality that is well maintained in the high image quality while ensuring the productivity in both-side recording mode.

Regarding claim 2, Tsuzawa teaches a path including a recording medium feed path from the exposing section to the cutting device (71) that includes at least one curved portion (Figure 4) and wherein the cutting device is arranged at, at least one curved portion (curve located near blade 71).

Regarding claim 3, Tsuzawa teaches a cutting device (88) arranged at an upper corner of the apparatus housing (Figure 1).

Regarding claim 4, Tsuzawa teaches a developing section (located in section 72) that includes a curved feed path for guiding the recording medium to the cutting device, wherein curved feed path is connected to the curved portion of the recording medium feed path so that the recording medium feed path is formed in a S-shape (Figure 1).

2. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuzawa (US Patent 6,243,157) in view of Funato (US Publication 200210191992) as applied to claims 1-4 above, and further in view of Sato et al. (US Patent 5,229,827).

Tsuzawa teaches the invention claimed including a vertical cutting device having a blade capable of moving vertically (71) relative to the recording medium for cutting leading and trailing edges of the recording medium in the feed direction. Funato teaches the invention claimed including a developing section that has a pressure roller (21,22) for recording and feeding a recording medium. However, Tsuzawa and Funato do not explicitly disclose a rotary cutting means having a rotary blade

for cutting the two side edges of the recording medium in the feed direction while rotating and pressing. Sato et al. teaches a rotary cutting means (19,20 and 91) with a rotating shaft (713) for cutting a medium.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to further modify the invention taught by Tsuzawa to include a rotary blade as taught by Sato et al., since Sato et al. teaches that it is advantageous to provide a rotary blade for cutting off hard to reach margins such as opposite longitudinal margins of the recording medium.

3. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuzawa (US Patent 6,243,157) in view of Funato (US Publication 200210191992) and Sato et al. (US Patent 5,229,827) as applied to claims 5 and 6 above, and further in view of Obertegger (US Publication 200410041991).

Tsuzawa, Funato and Sato et al. teach the invention claimed with the exception a containing section arranged below the cutting device for containing four edges of the recording medium cut by the cutting device so that the two side edges of the recording medium drop in the container. Obertegger teaches a containing section (46) located below a cutting device (44 and Page 3, Column 2, Paragraph 0031, Lines 9-15).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to further modify the invention taught by Tsuzawa to include a container as taught by Obertegger, since Obertegger teaches that it is advantageous to provide a container for storing excess medium edges.

4. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuzawa (US Patent 6,243,157) in view of Funato (US Publication 200210191992), Sato et al. (US Patent 5,229,827) and Obertegger (US Publication 200410041991) as applied to claim 7 above, further in view of Larson (US Patent 5,307,092).

Tsuzawa, Funato, Sato et al. and Obertegger all teach the invention claimed with the exception of a containing section with an antistatic process formed of conductive material. Larson teaches an image-forming device that has a containing section with antistatic coating formed with electrically conductive materials (Column 4, Claim 9 and Column 5, Claim 10). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to further modify the invention taught by Tsuzawa to include an antistatic container as taught by Larson, since Larson teaches antistatic properties in order to conduct away the tribo charges and provide high quality prints with good readability.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa L Ferguson whose telephone number is (571) 272-2163. The examiner can normally be reached on (M-T) 6:30am-4:00pm and every other(F) 7:30am-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Marissa L Ferguson
Examiner
Art Unit 2854

Mof


Daniel J. Colilla
Primary Examiner
Art Unit 2854